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Paper No. 3

Edwin H. Crabtree
3733 Cherry Creek N. Drive
Suite 375
Denver, Colorado 80209

In re Application of: Edward Gendelman.)	
Application No. 09/848,090)	DECISION ON PETITION TO
Filed May 2, 2000)	MAKE SPECIAL UNDER 37
For: PROCESS FOR PACKAGING AND)	C.F.R. §1.102(c) AND MPEP §
SECURITIZATION OF FUTURE)	708.02 (VI): ENERGY
CRUDE OIL AND NATURAL GAS)	
PRODUCTION STREAMS)	

This is a decision on the petition, filed November 8, 2001, under 37 C.F.R. §1.102(c) and M.P.E.P. §708.02(VI): Energy, to make the above-identified application special.

A grantable petition under 37 C.F.R. §1.102(c), and M.P.E.P. §708.02, Section VI, must be accompanied by a showing that the application is for an invention which materially contributes to (A) the discovery or development of energy resources, or (B) the more efficient utilization and conservation of energy resources. Such petitions should be accompanied by statements under 37 C.F.R. § 1.102 by the applicant, assignee, or an attorney/agent registered to practice before the Office explaining how the invention materially contributes to category (A) or (B) set forth above. No fee for such a petition is required. (See 37 C.F.R. §1.102(c) and M.P.E.P. §708.02(VI).)

The petition does not meet the requirements for special status in that there is no persuasive showing that the invention *materially contributes* to the discovery, development, conservation or more efficient utilization of energy resources as required in (A) or (B). The invention disclosed and claimed is removed from the process of materially contributing to the saving or conserving of energy as it is directed toward a method of creating an asset backed security as opposed to any clearly defined developments in energy saving or conservation technology.

Accordingly, the Petition is **DENIED**. The application file is being forwarded to Central Files to await examination in its proper turn based on its effective filing date.

If the petitioner desires further review of this Decision, applicant should consider filing a Request for Reconsideration within 2 months of the mailing date of this Decision.

Pinchus M. Laufer
Special Programs Examiner
Technology Center 2100
Computer Architecture, Software, and Electronic Commerce
(703) 306-4160